

# FILED

12/09/2016

Ed Smith

From:

Anderson, Diane

Montana Family Foundation <communications@montanafamily.org> on behalfunfer: AF 09-0688 richard westerberg <communications@montanafamily.org>

Sent:

Thursday, December 8, 2016 2:25 PM

To:

Court, SCclerk

Subject:

Reject rule change 8.4 (g)

Dec 8, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

This rule is a violation of the free exercise of religion. This rule is a violation of the freedom of speech and of the press. Even if you do not agree with a belief, lawyers ought not to be forced against their God given beliefs because they are bible believing Christians.

I hope you'll reject this rule change.

Sincerely,

Mr. richard westerberg 1740 Bear Canyon Rd Bozeman, MT 59715-6659 (406) 586-7991 richard@westerberg.org

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DEC 09 2016



From:

Montana Family Foundation <communications@montanafamily.org> on behalf of

Joseph Moyer <communications@montanafamily.org>

Sent:

Thursday, December 8, 2016 2:25 PM

То:

Court, SCclerk

Subject:

Concerning proposed para g to rule 8.4

Dec 8, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

The list of attributes against which one can be accused of discriminating would include two new categories (sexual orientation and gender identity) which neither biology, medicine nor psychiatry can affirm as scientifically verifiable. In addition, these two new categories are being found to connect with very serious psychological issues. I direct your attention to the Fall 2016 issue of The New

Atlantis: a Journal of Technology & Society (number 50, <u>www.thenewatlantis.com</u>). This issue is a special report on scientific findings concerning these very categories. The researchers are in no way to be categorized as acting on religious impulses which would possibly color their results. Their three page executive summary (pp.

7-9) makes plain that neither sexual orientation nor gender identity, as usually defined, can be supported from science at this time. I will gladly forward you a pdf copy of this issue if you wish (about 1.6 mb in size).

This rule change will incorporate categories which are actually metaphysical commitments (akin to religious devotions) into the definition of discrimination. You would thereby risk violating the 1st amendment rights of numerous lawyers and their associates in our state.

I hope you'll reject this rule change.

Sincerely,

Mr. Joseph Moyer 1400 6th St NW Great Falls, MT 59404-1894 jfmoyer@wbc-greatfalls.org

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DEC 09 2016



From:

Montana Family Foundation <communications@montanafamily.org> on behalf of

Shelly Sharbono < communications@montanafamily.org >

Sent:

Thursday, December 8, 2016 12:33 PM

To:

Court, SCclerk

Subject:

Protect our free exercise of religion and freedom of speech and press

Dec 8, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

These rights are natural rights that no one can take away.

This rule is a violation of the free exercise of religion.

This rule is a violation of the freedom of speech and of the press.

Even if you don't agree with a belief, lawyers ought not to be disbarred for holding it.

I hope you'll reject this rule change.

Sincerely,

Mrs. Shelly Sharbono 40240 W Post Creek Rd Charlo, MT 59824-9345 (406) 249-9531 sssharbono@hotmail.com



DEC 09 2016



From:

Montana Family Foundation <communications@montanafamily.org> on behalf of Kayla

Willett < communications@montanafamily.org>

Sent:

Thursday, December 8, 2016 1:55 PM

To: Subject: Court, SCclerk Stop Rule 8.4(g)

Dec 8, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

This rule is in violation of the first amendment, the freedom of speech. It is government over-reach and in direct conflict with religious freedom. It is taking a side against Christian beliefs. I am a concerned citizen and business owner. I have seen these types of ideas ruin lives and businesses.

I request that you reject Rule 8.4(g).

I hope you'll reject this rule change.

Sincerely,

Mrs. Kayla Willett 504 S 3rd St E Malta, MT 59538-8858 kwillett@outlook.com

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DEC 09 2016



From:

Montana Family Foundation <communications@montanafamily.org> on behalf of

Carolyn Glidewell <communications@montanafamily.org>

Sent:

Thursday, December 8, 2016 12:24 PM

To:

Court, SCclerk

Subject:

Please do not adopt Rule 8.4.

Dec 8, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

Please do not adopt Rule 8.4. Of all places, we need freedom of speech in the court room. Thank you.

I hope you'll reject this rule change.

Sincerely,

Mrs. Carolyn Glidewell PO Box 297 Lolo, MT 59847-0297 cglidewell@giig.com



DEC 09 2016



From: Montana Family Foundation < communications@montanafamily.org > on behalf of

Crystal Lett <communications@montanafamily.org>

Sent: Thursday, December 8, 2016 11:54 AM

To: Court, SCclerk

**Subject:** Supreme court ruling on "discriminatory" speech as a lawyer

Dec 8, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

As I set here a young married mother of 4 I have so many things going thru my head it is hard to decide where to start. What has happened to the country I am living in when freedom of speech means one person can burn a flag or sue a baker for not making their cake yet the very people who believe in those rights support the right of another to not dress the incoming first lady because she does not agree with her beliefs yet no one is putting her out of business for her stance. When did the courts become the decision makers of whos speech is freedom of speech and whos is not and how can justice be blind and put aside her personal beliefs in deciding these issues. This law would be a violation of freedom of religion and a chipping away of all religious freedom is happening with the courts help, where does this stop? There is no tolerance on the part of those who disagree with a persons religious belief they want laws to force you go against your religious

belief and your freedom of speech. Yours is not freedom of speech if

it disagrees with theirs, and they want your job for expressing it whether your a lawyer, baker or dress maker. Yes the courts and lady justice have a huge responsibility here and play a part in all religious freedom and freedom of speech and I pray that they carefully consider all Americans freedoms, you should not loose your job because someone disagrees with a belief!

There is a practice of targeting people of religious belief and suing, put out of business and fine when they do not go against that belief.

I hope you'll reject this rule change.

Sincerely,

Mrs. Crystal Lett PO Box 54 Malta, MT 59538-0054 ocletts@itstriangle.com DEC 09 2016





From: Montana Family Foundation <communications@montanafamily.org> on behalf of

joann mims <communications@montanafamily.org>

Sent: Thursday, December 8, 2016 11:24 AM

To: Court, SCclerk

Subject: righto practicehttp://www.carinos.com/menu/lunch-combosPlease Delete This Subject

And Type Your Own

Dec 8, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

I believe that this rule would interfer with the rights of lawyers

I hope you'll reject this rule change.

Sincerely,

Mrs. joann mims 3600b Magenta Rd Bozeman, MT 59718-8127 (406) 548-5523 preciousmomentef@aol.com

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DEC 09 2016



From: Montana Family Foundation <communications@montanafamily.org> on behalf of

Krista De Groot <communications@montanafamily.org>

Sent: Thursday, December 8, 2016 11:33 AM

To: Court, SCclerk

Subject: Re: Rule 8.4 (g), Case AF 09-0688 : Creating an Orwellian Circle of Tyranny

Dec 8, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

To the Honorable Ed Smith, Chief Justice McGrath, Justices Cotter, Rice, Wheat, McKinnon, Shea and Baker:

I am respectfully requesting the court to OPPOSE and DISMISS the proposed new Rule 8.4 (g) of the Montana Rules of Professional Conduct.

As a U.S. and Montana citizen who understands, appreciates, and treasures the freedoms of press and speech, as well as the free exercise of religion, I am appalled that the ABA, let alone our own state supreme court, would entertain such circular and Orwellian notions. If an attorney can be disbarred for speaking against one idea in defense of his own personal and legal belief--such as one of the many moral positions held forth in the Judeo-Christian ethic--we have succumbed to nothing but unabated tyranny. Disbarring an Attorney for voicing an opinion that leaves a Person or Group feeling discriminated against or harassed becomes, in fact, discrimination against and harassment of the Attorney. If the Attorney, then, feels discriminated against or harassed, by way of disbarment, what legal redress will she have from the Person or Group? Therefore, nothing exists in this Rule change to protect the Attorney from "verbal or \*physical\* (emphasis mine)... conduct that manifests bias or prejudice" against the Attorney. I emphasize "physical" because loss of one's means of income (by way of disbarment) would have clear physical consequences. This Rule plainly opens the floodgates to opportunities for egregious discrimination against and harassment of attorneys, themselves. Let us keep the citizens of our state and nation free--yes even our citizen attorneys. Please do NOT adopt Rule 8.4 (g) of the Montana Rules of Professional Conduct.

Sincerely, Krista De Groot PO Box 687 Dillon MT 59725 fanciethat@icloud.com

I hope you'll reject this rule change.

Sincerely,

Ms. Krista De Groot PO Box 687 Dillon, MT 59725-0687 FILED

DEC 09 2016



From:

Montana Family Foundation <communications@montanafamily.org> on behalf of Mark

Kuntz < communications@montanafamily.org >

Sent:

Thursday, December 8, 2016 10:33 AM

To:

Court, SCclerk

Subject:

Strong opposition to "Rule 8.4(g)"

Dec 8, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

This rule will be a violation of my constitutional right to freedom of religion. If enacted, this will effectively silence and censor any attorney and potential clients from defending themselves in any Montana court of law. This is an extremely bad idea.

Consider the following statement "Freedom and Justice for all" Can't have justice if you can't even voice your religious beliefs on social and religious issues.

Also, these "select catergories" should not be considered from a practical standpoint as well, since they are "choices" and can be treated and changed. They are not the same such as "race" because you can't change your race, but you can treat and change "orientation". Lookup the word "orientation" in the dictionary.

Please consider the impacts your decision will have.

Please, do not support "Rule 8.4(g)"

I hope you'll reject this rule change.

Sincerely,

Mr. Mark Kuntz 1252 Cottonwood Blvd Billings, MT 59105-2657 (406) 697-2640 mkuntz@runbox.com FILED

DEC 09 2016



From:

Montana Family Foundation <communications@montanafamily.org> on behalf of Larry

Beneker < communications@montanafamily.org >

Sent:

Thursday, December 8, 2016 10:24 AM

To:

Court, SCclerk

Subject:

Proposed Rule Change 8.4 (g)

Dec 8, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith.

I am writing today to express my opposition to the proposed rule change 8.4(g).

Do we not live in a country of great freedoms and wasn't this great nation established upon the Word of God?

I'm understanding that the Montana Supreme Court is attempting to change their "Rules of Professional Conduct" known as "Rule 8.4(g)," to discriminate against any lawyer that they might consider "discriminating" by what they say concerning "sexual orientation" or "gender identity."

Aren't we, including lawyers, allowed to state our personal opinion without reprimand? Is the Montana Supreme Court more powerful than God to restrict our right to state what the "real truth" concerning these matters is?

Please consider what you are proposing to do by this change in "Rule 8.4(g) and stop trying to restrict freedom of speech and freedom of religion.

The nation and state that honors God, the creator of the universe and author of the "truth," will be blessed.

Do not support this biased, restrictive rule change regarding lawyers.

I hope you'll reject this rule change.

Sincerely,

Mr. Larry Beneker 518 Jemstone Dr Billings, MT 59101-6854 (406) 690-3484 larbel@bresnan.net FILED

DEC 09 2016



From:

Montana Family Foundation <communications@montanafamily.org> on behalf of

Terria Arps <communications@montanafamily.org>

Sent:

Thursday, December 8, 2016 11:03 AM

To:

Court, SCclerk

Subject:

Attorneys' First Amendment Rights

Dec 8, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

This rule, I feel, would be is a violation of the free exercise of religion. It also is a violation of the freedom of speech and the press. I believe this is a harmful rule for the lawyers who would be disbarred for holding it.

I appreciate you for reading my views and thoughts on this sensitive subject.

I hope you'll reject this rule change.

Sincerely,

Mrs. Terria Arps PO Box 925 Choteau, MT 59422-0925 (406) 590-5649 terriaarps@yahoo.com

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DEC 09 2016



From:

Montana Family Foundation <communications@montanafamily.org> on behalf of

Maryanne Brugman <communications@montanafamily.org>

Sent:

Thursday, December 8, 2016 10:33 AM

To:

Court, SCclerk

Subject:

Proposed rule change 8.4(g)

Dec 8, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

I truly believe this is just the start of our right of free exercise of religion and a violation of the freedom of speech and the press.

Please give thoughtful consideration before making the wrong judgment on this issue. Thank you.

I hope you'll reject this rule change.

Sincerely,

Mrs. Maryanne Brugman 821 W 4th St Anaconda, MT 59711-2023 brug213@aol.com

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DEC 09 2016



From:

Montana Family Foundation <communications@montanafamily.org> on behalf of

Elizabeth Grosse < communications@montanafamily.org >

Sent:

Thursday, December 8, 2016 10:03 AM

To:

Court, SCclerk

Subject:

Freedom Rights in America

Dec 8, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

The main reason I love my country, the United States of America, is because of its foundation on freedom. People in countries around the world are afraid to express their opinions and face dire consequences if they do. Here in America we have freedom to express our beliefs, stated for us in our Constitution.

The pressure of today's changing society is causing governments to make freedom only for a specified group of people, in this case for people who have chosen to change their gender identity or sexual orientation.

They are getting the right to put forth their choice, while those who have chosen differently than them are being stopped. My personal religious beliefs cause me to stand on one side of the issue. I believe there is a right and a wrong. But people were created with the right of choice, and either side, whether I personally think like them or not, should have the right to express their convictions or beliefs. Taking this right away from one side or both is putting a plug on our freedoms.

If you say that law has nothing to do with personal beliefs, then look at the Constitution of the United States of America. It was written by people who had strong convictions and beliefs about a free way of life, different than the lands they had come from. According to that belief, they penned the Constitution. If they had believed differently, our country would not have been built on the freedom we love and enjoy.

Please consider this appeal in making your decision, and thank you for your work in the judicial system. It is not an easy job.

I hope you'll reject this rule change.

Sincerely,

Miss Elizabeth Grosse 8 S Nevada St Dillon, MT 59725-3226 (406) 478-6578 elizabeth.grosse@bcmedu.org FILED

DEC 09 2016



From:

Montana Family Foundation <communications@montanafamily.org> on behalf of Lynn

Haugen < communications@montanafamily.org>

Sent:

Thursday, December 8, 2016 9:24 AM

To:

Court, SCclerk

Subject:

Rule 8.4

Dec 8, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

Please vote against Rule 8.4. This rule is not right and is a violation of freedom of speech and the free excerise of religion!

Thank you

I hope you'll reject this rule change.

Sincerely,

Mrs. Lynn Haugen 1717 W Holly St Sidney, MT 59270-3526 slhaugen@midrivers.com

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DEC 09 2016



From:

Montana Family Foundation <communications@montanafamily.org> on behalf of Terry

Tatafu <communications@montanafamily.org>

Sent:

Thursday, December 8, 2016 7:54 AM

To:

Court, SCclerk

Subject:

Proposed Rule Change 8.4

Dec 8, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

This rule change is a clear violation of freedom of speech and should NOT be passed. We should all be allowed to express our opinion and lawyers should NOT be disbarred for doing the same. Please vote against this rule change!! Thank you. Sincerely, Terry Tatafu, P.O. Box 1562, Malta, MT 59538 ttatafu@mail.com

I hope you'll reject this rule change.

Sincerely,

Mrs. Terry Tatafu PO Box 1562 Malta, MT 59538-1562 (406) 654-2867 ttatafu@hotmail.com

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DEC 09 2016



From:

Montana Family Foundation <communications@montanafamily.org> on behalf of Carol

Gerisch < communications@montanafamily.org >

Sent:

Thursday, December 8, 2016 7:54 AM

To:

Court, SCclerk

ORIGINAL

Subject:

Free Speech - Marriage

Dec 8, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

I do not agree with this law. When did voicing your opinion become wrong. Why can't I speak to what I believe even if the law says otherwise. We should be free to voice our opinion even if does not agree with others or the current law. We should not be forced to accept a different viewpoint or be put in prison.

I urge you to vote against this proposed rule change.

I hope you'll reject this rule change.

Sincerely,

Miss Carol Gerisch 58406 Hillside Rd Saint Ignatius, MT 59865-9375 (406) 544-5430 cgerisch@blackfoot.net



DEC 09 2016



From: Montana Family Foundation <communications@montanafamily.org> on behalf of

Nancy Jo Knauff <communications@montanafamily.org>

Sent: Thursday, December 8, 2016 7:24 AM

To: Court, SCclerk
Subject: Oppose rule 8.4(g)

Dec 8, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

After reading the rule - which sounds like it innocently protects against discrimination - I'm convinced it does the opposite. It will effectively gag attorneys and work against freedom of speech and religious belief systems, i.e. Muslim, Christian etc. Please do not pass this rule.

I hope you'll reject this rule change.

Sincerely,

Ms. Nancy Jo Knauff 2604 8th Ave S Great Falls, MT 59405-3217 nj knauff@yahoo.com



DEC 09 2016



From:

Montana Family Foundation <communications@montanafamily.org > on behalf of Whit

Olds <communications@montanafamily.org>

Sent:

Thursday, December 8, 2016 7:02 AM

To:

Court, SCclerk

Subject:

Please oppose this rubbish proposed rule 8.4

Dec 8, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

The Honorable Ed Smith,

Please oppose this unnecessary legislation which is the Federal government's attempt to control our individual rights as a state.

Let's continue to keep America and the great state of Montana free!

I hope you'll reject this rule change.

Sincerely,

Mr. Whit Olds 101 Passage Ct Missoula, MT 59803-3300 (406) 240-7038 whitolds@gmail.com





From:

Montana Family Foundation <communications@montanafamily.org> on behalf of

Pamala Schneider <communications@montanafamily.org>

Sent:

Thursday, December 8, 2016 6:32 AM

To:

Court, SCclerk

Subject:

Speech Code for Lawyers

Dec 8, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

This rule is a violation of the free exercise of religion.

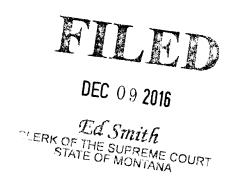
This rule is a violation of the freedom of speech and of the press.

Even if you don't agree with a belief, lawyers ought not to be disbarred for holding it.

I hope you'll reject this rule change.

Sincerely,

Mrs. Pamala Schneider 32880 Piney Meadows Ln Huson, MT 59846-9712 (406) 626-4532 accountability@hughes.net





Montana Family Foundation < communications@montanafamily.org > on behalf of Shari

Goroski <communications@montanafamily.org>

Sent:

From:

Thursday, December 8, 2016 6:24 AM

To:

Court, SCclerk

Subject:

Free Exercise of Religion

Dec 8, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

#### To the Montana Supreme Court,

I have been made aware that the Supreme Court is considering a rule that would would be a violation of our freedom of religion, speech making it possible to disbar a lawyer for expressing their opinion based on their belief in the Bible. This is a direct violation of our constitutional rights. Political correctness should not be used to take rights away from those that believe God's word is truth. Our constitution and laws were based on many of the ten commandments which have weathered the test of time. Please be very cautious in following the opinion of the few who want to tear apart our constitutional rights of freedom of religion, speech and of the press.

At the very least lawyers should not be disbarred for holding the view.

I hope you will reject this rule change. Sincerely, Shari Goroski 48 Schmidt Lane Glendive, MT 59330 gsgski@midrivers.com

I hope you'll reject this rule change.

Sincerely,

Mrs. Shari Goroski 48 Schmidt Ln Glendive, MT 59330-9407 (406) 687-3779 gsgski@midrivers.com

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DEC 09 2016

LERK OF THE SUPREME COURT